THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 28467 of 1998

DATE: 28-03-2007

Between :

V.Raji Reddy and 6 others.

... Petitioners

And

The Mandal Revenue Officer,
Saidabad Mandal, Saidabad,
Hyderabad and 2 others.

... Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 28467 of 1998

ORDER:

The petitioners herein, 7 in number, claim title and possession in respect of different extents of land situated in Sy.Nos.307 and 308 of Gaddiannaram village, Saidabad Mandal, Hyderabad District. It is not in dispute that the said land originally owned by three individuals by name S.T.V.Raghunatha Chary, S.T.Venkata Appala Chary and S.T.Madhusudhan Chary, who filed separate statements under Section 6(1) of the Urban Land (Ceiling and Regulation) Act, 1976 before the Special Office and competent authority in respect of their property including the land in question.

It appears that the said declarants were found to be surplus holders and accordingly notifications under Section 10(1) and Section 10(3) of the Act were published in the gazette on 28-02-1983 and 03-02-1984 respectively.

Aggrieved by the same, the petitioners herein along with some other occupants of the land in question preferred an appeal before the Commissioner of Land Reforms, who is the Appellate Authority under the Act. The said appeal was allowed by order dated 27-01-1997 and the matter was remanded to the Special Officer and Competent Authority for *de novo* enquiry. While the enquiry was pending, it appears that the first respondent attempted to interfere with the possession of the petitioners and sought to demolish the constructions made, therefore, contending that pursuant to the orders of the Special Officer and Competent Authority, the land in question vested with the Government. Aggrieved by the same, some of the occupants filed

W.P.No.29695 of 1997 and etc. The said writ petition was disposed of along with W.A.No.944 of 1999 and etc. A Division Bench of this Court, having taken note of the fact that the *de novo* enquiry ordered by the Appellate Authority was still pending, held that pending such enquiry, no demolition proceedings shall be carried out. Accordingly, the respondent-authorities were granted liberty to take appropriate steps available to them under law only after a decision is arrived at in the manner provided under the Act. The writ appeals were disposed of with a direction that the order of *status quo* shall be maintained with respect to construction as on that date till the final disposal of the proceedings. It was made clear that the respondents shall be at liberty to proceed in accordance with law for demolition or taking any steps to enforce the law after the declaration is made under the Act by the competent authority.

The petitioners in the case on hand, who claim to be in possession and enjoyment of the land in question by virtue of the sale transactions from S.T.V.Raghunatha Chary, also stand on the same footing.

From the counter affidavits filed by the Mandal Revenue Officer, Siddipet, dated 10-02-2000, as well as the counter affidavit filed by the third respondent, dated 07-05-2000, it appears that the enquiry before the competent authority is still pending.

Learned counsel for the petitioners across the bar submitted that the enquiry could not be concluded on account of pendency of certain civil suits against the Endowments Department.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition in terms of the order of the Division Bench in W.A.No.944 of 1999 at etc., dated 26-10-1999 directing that *status quo* shall be maintained as to the

nature and possession of the land in question till the enquiry is concluded by the Special Officer and Competent authority under the Act. No costs.

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G. ROHINI, J

Dt.28-03-2007
KLP